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In re Application of :
Yannick Nicolas, et al. :
Application No. 09/831,992 :
Filed: August 16, 2001 :
Attorney Docket No. PF990061 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed December 2, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed May 18, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. An Advisory action was mailed August 23, 2005 indicating that the reply filed on August 11, 2005, failed to place the application in condition for allowance. Accordingly, the application became abandoned at midnight on August 19, 2005.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an Amendment and a Request for Continued Examination (RCE); (2) the petition fee of \$1500; and (3) the required statement of unintentional delay have been received. Accordingly, the petition filed December 2, 2005 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3229.

The application matter is being forwarded to Technology Center 2600, Art Unit 2623 for processing the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.

Retta Williams
Petitions Examiner
Office of Petitions